

**Missouri Department of
Natural Resources
Administrative Policies and Procedures**

Chapter 1 Employee Relations

Americans with Disabilities Act Policy

Effective date

Revised

Number: 1.05

July 5, 2006

The department is committed to providing a workplace where all employees can work to their fullest potential. In doing so the department provides assistance and support to employees who have disabilities that may affect their ability to perform the essential job functions as defined by the Americans with Disabilities Act. Employees shall not be discriminated or retaliated against for exercising their rights under this policy.

REFERENCES

Title 1, Americans with Disabilities Act

Missouri State Employee's Retirement System (MOSERS) - Long Term Disability Plan Handbook and Long Term Disability Plan Handbook Supplement

Missouri Office of Administration, Central Accident Reporting Office 1-888-622-7694

Related DNR policies

Employee Records 1.03

Discrimination 1.02-03

Temporary Modified Duty 5.10

DEFINITIONS

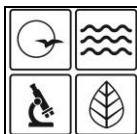
Disability: An individual has a physical or mental impairment that substantially limits a major life activity, has a record of such an impairment, or is regarded as having such an impairment.

Temporary disability: Disabilities of a limited duration that are not covered by the Americans with Disabilities Act (such as a broken leg).

Physical impairment: Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculo-skeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine.

Mental impairment: Any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness and specific learning disabilities.

Substantially limits: The ADA allows consideration of the following factors: the nature and severity of the impairment; how long the impairment will last or is expected to last; and the impairment's permanent or long-term impact or expected impact.



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Major life activity: Activities considered essential to life such as walking, speaking, breathing, performing manual tasks, seeing, hearing, learning, caring for oneself, working, sitting, standing, lifting, and reading.

Qualified individual: An individual who satisfies the requisite skill, experience, education and other job-related requirements of the employment position such individual holds or desires and who, with or without reasonable accommodation, can perform the essential functions of such position. The employer is not required to hire or retain an individual who is not qualified to perform the essential functions of a job.

Reasonable accommodation: A modification or adjustment to a job, the work environment, or the way things usually are done that enables a qualified individual with a disability to enjoy an equal employment opportunity.

Temporary accommodation: Accommodations not covered by the Americans with Disabilities Act but which the department tries to provide temporarily to the extent practical.

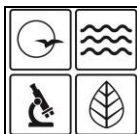
GENERAL PROVISIONS

Any time during their tenure with the department, an employee may request accommodation for a disability by identifying himself or herself as having a disability. This may include providing supporting medical verification and suggestions for accommodations. This notification is made to the immediate supervisor who will notify the Employee Relations Office (ERO). The notification may also be made directly to the ERO.

Employees do not have to identify themselves as disabled, unless a request for an accommodation is made.

Medical information is confidential. The Employee Relations Office and/or Human Resources Program will maintain any medical information related to a request for accommodation in a confidential file. This information is not maintained in an employee's official personnel file.

The department is not required to provide an accommodation if it would impose an undue hardship on the operation of the business. The concept of undue hardship includes any action that is unduly costly; extensive; substantial; disruptive or that would fundamentally alter the nature or operation of the business. Whether a particular accommodation will impose an undue hardship shall be determined on a case-by-case basis.



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Request for Reasonable Accommodation

Employee's responsibility

If an employee is in need of an accommodation to successfully perform work duties he/she should discuss this matter with their supervisor and/or the ERO. The employee should follow this discussion with a request in writing to the supervisor with a copy to the ERO. This request must include the kind of disability, a discussion of the disability and how it affects the employee and their ability to do the job and any medical information appropriate to the request. The department may write the employee's physician asking for further information relative to the request, involving explanation of the disability and suggested accommodations. The employee should cooperate fully with the department's efforts to identify the reasonable accommodation best suited to his/her needs.

Supervisor's responsibility

When an employee requests accommodation the supervisor must be sure the employee has provided the needed information (see Employee's Responsibility above).

Once the supervisor receives the employee's request for accommodation, he/she should contact the ERO to discuss the request. The supervisor, ERO and employee may meet to further discuss the request. Either the supervisor or the ERO should prepare documentation relative to this meeting and the request. This documentation should contain information about the accommodations requested, those selected, how they were obtained and how they assisted the employee in successfully performing the essential functions. If the employee is requesting the accommodation for a specific period of time that information should also be included.

Supervisors should only inquire about the request and/or the nature of the employee's condition to the extent necessary to comply with the provision of this policy.


The Human Resources Program or the Employee Relations Office is available to provide assistance in identifying accommodations.

Request for Temporary Accommodation

Temporary accommodation may be requested through the policy and procedures set out in the Temporary Modified Duty policy – 5.10.

Auxiliary Aids, Equipment and Services

The department will furnish appropriate auxiliary aids, equipment, and services when needed for training, meetings, interviews, conferences, hearings or public appearances (such as qualified interpreters, readers, Braille or large print materials or closed-captioned video programs).

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Training and technical assistance about the Americans with Disabilities Act and reasonable accommodations is available through the Employee Relations Office.